

CITY OF MESA

MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers
Date: September 18, 2008 Time: 4:00 p.m.

MEMBERS PRESENT

Pat Esparza, Chair
Frank Mizner, Vice Chair
Randy Carter
Beth Coons
Chell Roberts
Ken Salas

MEMBERS ABSENT

Scott Perkinson, excused

OTHERS PRESENT

John Wesley
Dorothy Chimel
Tom Ellsworth
Jennifer Gniffke
Veronica Gonzalez
Krissa Lucas
Maria Salaiz

Angelica Guevara
Lesley Davis
Josh Mike
Patrick Murphy
Gordon Sheffield
Dorothy Shupe
Sean Lake

David Ward
Ralph Pew
Catherine Ji
Others

Chairperson Esparza declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated September 18, 2008. Before adjournment at 6:15 p.m., action was taken on the following:

It was moved by Boardmember Mizner, seconded by Boardmember Carter that the minutes of the August 19, 2008, and August 21, 2008 study sessions and regular meeting be approved as submitted. Vote: 5-0-2 with Boardmember Perkinson absent and Salas abstaining.

Consent Agenda Items: All items identified with an asterisk (*) were approved with one Board motion.

It was moved by Boardmember Salas seconded by Boardmember Coons that the consent items be approved. Vote: 6-0-1 with Boardmember Perkinson absent.

A second consent agenda was held for zoning case Z08-61 due to a potential conflict of interest by Boardmember Coons. It was moved by Boardmember Carter, seconded by Boardmember Salas that the second consent item be approved. Vote 5-0-2 with Boardmembers Perkinson absent and Coons abstaining.

Zoning Cases: *Z08-58, *Z08-59, Z08-60, **Z08-61, *GPMinor08-09, *Z08-54, GPMinor08-10, GPMinor08-11, Z08-62

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: **Z08-58 (District 6)** 4209 and 4215 South Sagewood. Located north of Warner Road and east of Power Road (4.6± acres). Site Plan Modification. This request will allow the construction of office/warehouse buildings. Trudy Licano, owner; Jonathan Stringer, applicant.

Comments: This case was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Salas, seconded by Boardmember Coons

That: The Board **approve** zoning case Z08-58 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary plat submitted (without guarantee of lot yield, building count, lot coverage).
2. Administrative Design Review and conformance with all requirements of that approval.
3. Compliance with all City development codes and regulations except as amended through the PAD overlay district.
4. Compliance with all requirements of the Subdivision Technical Review Committee.

Vote: Passed 6-0-1 with Boardmember Perkinson absent.

* * * * *

Note: *Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at www.cityofmesa.org*

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: **Z08-59 (District 5)** The 7300 to 7400 blocks of East Hermosa Vista Drive (south side). Located north of McKellips Road and west of Sossaman Road (12.74± ac.). Rezone from R1-15 to R1-15 PAD and Site Plan Review. This request will allow for the development of a single residential subdivision. Don Sutherland, owner; Danny Perkinson, applicant; Clint Garner, Allen Consulting Engineers, Inc., engineer. Also consider the preliminary plat for "Saguaro View Estates"

Comments: This case was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Salas, seconded by Boardmember Coons

That: The Board approve the preliminary plat of "Saguaro View Estates" and recommend to the City Council **approval** of zoning case Z08-59 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, or lot coverage).
2. Compliance with the Residential Development Guidelines.
3. Compliance with all City development codes and regulations, including the Subdivision Regulations and Desert Uplands Development Standards.
4. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan.
5. Compliance with Ordinance #3694 requiring a grading permit.
6. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance(s) outlined in the staff report.
7. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
8. Compliance with all requirements of the Subdivision Technical Review Committee.
9. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.

Vote: Passed 6-0-1 with Boardmember Perkinson absent.

* * * * *

Note: *Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at www.cityofmesa.org*

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: **Z08-60 (District 6)** 6428 East Test Drive. Located south of the Superstition Freeway and west of Power Road (3.17±acres). Modification of an existing Ordinance and Site Plan Review. This request will allow the development of an automobile dealership. Joe Cardinale, Cardinale Automotive Group, owner; David Ward, Gallagher & Kennedy, P.A., applicant; Michael Denbleyker, P.E. V3 Companies of Arizona, engineer.

Comments: David Ward, Gallagher and Kennedy, 2575 East Camelback Road, Phoenix, AZ, applicant, commented that when the original case was approved in May of 2000, Lots F&G were limited to C-2 uses. He stated they are not asking for rezoning but for the removal of Condition #16. He noted that there are different lighting standards that apply throughout the auto center. He showed an aerial and described the location of the condominiums and surrounding areas. He mentioned that they started their citizen participation efforts in February 2008, and filed a formal application in July 2008; he briefly explained those efforts and added that they voluntarily revised the lighting for the Madza dealership.

Mr. Ward noted the concerns from the neighbors included: that Condition #16 should not be changed, lighting, noise, traffic, landscaping, building aesthetic and design, property values and general opposition to auto dealerships. He also explained their proposed landscaping and added that they have entered into an agreement with the Superstition Springs Master Association to landscape the offsite areas and will replace any dead trees; noting that with the additional landscaping it is unlikely that the neighbors would see the building. Mr. Ward stated they are not changing the lighting standard and mentioned that they have installed speed bumps due to traffic concerns, and the building aesthetics will be reviewed by Design Review Board (DRB). He mentioned that dedication of a park is not feasible and concluded by stating they've met with the Economic Development Advisory Board, who approved this project.

Boardmember Mizner commented that the Board received a number of letters and emails in opposition. He asked Mr. Ward how they intend to landscape property that is owned by ADOT; and to touch on the legal perspective on the promise that was made to the neighbors that the property would never be utilized as a car dealership. Mr. Ward responded that they are limited to what they can do as far as landscaping; adding that they've had some discussions with ADOT and are working with them. He further stated that the original zoning case was processed by DMB Associates and Cardinale purchased the site in 2005. He briefly explained the layout of the area and added that in 2007, there was a surplus of restaurants and this property remained undeveloped. He stated they did not represent the applicant in the original case and that is why they find the necessity to rezone because it's a change in circumstances.

Johnette Davison, 6535 East Superstition Springs Blvd., #205, Mesa AZ, resident, representing homeowners of the Superstition Lakes Resort Condominium, spoke in opposition to the rezoning of Lots F&G. She gave a brief history on the development of the area and added that Lots F&G were designated to be a buffer zone between the auto mall and their residential development. She noted their concerns with lighting, street traffic, visibility, the proposed landscaping will not provide screening for their development, and the building will be facing them and is not compatible with their neighborhood. She noted that the auto mall has reduced their community's quality of life and no one looked out for their concerns. Ms. Davison presented a slide show showing the deteriorating landscaping of the golf course. She urged the Board to vote no on this request. Discussion ensued regarding C-2 uses.

The following individuals spoke in opposition to the proposal request.

Mark Holland, 6535 East Superstition Springs Blvd., #210 & #110, Mesa AZ, resident,
Gregg Pfister, 6535 East Superstition Springs Blvd., #102 & #254, Mesa AZ, resident,
David Peterson, 6535 East Superstition Springs Blvd., #217, Mesa AZ, business owner,
Their comments/concerns included:

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

- The established C-2 stipulation was promised to create an appropriate buffer zone and transition between the industrial/auto centers and the residential/commercial properties;
- The minutes clearly document the C-2 zoning, which is an appropriate land use for the area;
- Nothing has changed to warrant the removal of the stipulation;
- One thing has changed, the City needs the money to balance the budget;
- Benefit to the City is tangible, the irreversible harm done to the neighborhood is permanent;
- Previous requests made have failed due to neighborhood opposition;
- Received two notices of the proposed project in February, there were 50% of the seasonal residents in attendance;
- Subsequent meetings only had 1-2 residents, seasonal residents gone;
- New president lives far away from the development, has no direct vested interest in this development and does not represent the owners;
- Home along the golf course face the lighting and everything that goes on with the dealership;
- The traffic on Superstition Springs Blvd. has grown;
- Read a letter from Karin Taylor, dated April 9, 2001, which states they agreed to limit the uses of Lots F&G to C-2 uses only;
- The commitment made by the original developer was inherit by the Cardinale group;
- The lights are a great concern;
- The three acres would be better used as a City park, and a better buffer for their community;
- Staff's recommendation is incomplete, no reason put forward to change the ordinance.

Sherry Watson, 4144 East Blossom Ct., Mesa, AZ, Community Manager for the Superstition Springs Community Master Association, read a letter of support issued by the Board of Directors, which stated that the Boardmembers were satisfied with the compromises that were made with the Cardinale Group. She noted that they acknowledged the monetary value of the land and the need to utilize Lots F&G, and that times and needs change and compromises should be sought. She mentioned that the Superstition Springs Community Master Association consists of commercial and residential areas. Ms. Watson assured the residents of the Superstition Lakes Condos that their main goal is to take measures within their reach to increase the property values and enforce the CC&R's with the dealership; adding that they have been proactive in installing speed bumps, speed limit signs and repairing the lights to aide in traffic control; and have aggressively addressed the street parking issues. She noted that the landscape agreement will soften the view, and they will maintain the area to ensure that it stays aesthetically pleasing and all trees remain or be replaced as needed.

Mr. Ward reiterated their public outreach efforts and added that they wanted to get the resident's input and concerns and address them before they designed the project. He stated they were open to meeting with the residents, but most refused to participate and they were left with going to the Board of Directors. He briefly explained the landscape proposal and reiterated that there would be no change to the lighting standards. He addressed comments made and noted that the circumstances are now different.

Boardmember Carter asked if the Mazda dealership light's are left on at night. Mr. Ward responded that per the Zoning Ordinance the security lights are left on; adding that recent modifications to the lights turn a portion of them off every night. Discussion ensued regarding the photometric analysis.

Boardmember Mizner asked Mr. Ward to speak on the issue of the number of trees that have died. Mr. Ward responded that he had limited information, noting that a windstorm damaged a number of the trees that were not replanted; adding that the golf course's policy is not to add additional trees. He also noted that he was not privy to the agreement between DMB and the

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

golf course, but their agreement with the Master Association does have requirements for ongoing maintenance and replacement of trees. Discussion ensued regarding the maintenance of the trees.

Boardmember Roberts asked if a photometric plan was submitted. Mr. Ward stated that there was a photometric analysis submitted with the original zoning case, since they were not asking for any amendments to the lighting standards they were not required to do a study. Discussion ensued regarding the photometric plan.

Rob Dmohowski, Planner I, gave an overview stating that the applicant is requesting the elimination of Condition #16 of Ordinance 3889, which specifies that Lots F&G be limited to C-2 uses. He stated that the proposal does not have a committed dealership, but will go through the DRB process when a dealership comes forth. He briefly explained the layout of the proposed site plan and landscaping; adding that the owners have attempted to attract a C-2 user but have been unsuccessful and the most viable use for this property appears to be an auto dealership. He stated that this proposal is supported by the Economic Development Advisory Board, as well as the Office of Economic Development and staff is recommending approval with conditions.

Patrick Murphy, Office of Economic Development, reiterated that the Office of Economic Development and the Economic Development Advisory Board are in favor of the proposed dealership and reiterated Mr. Dmohowski's comments regarding attempting to attract C-2 user.

Boardmember Roberts asked if the lighting standards would remain as is, and how the enforcement of Conditions take place.

Gordon Sheffield, Zoning Administrator, responded that the lighting standards for the City of Mesa are not in the Zoning Ordinance but are part of the Building Code, noting that there is a standard lighting requirement that's applied universally to almost all commercial districts.

John Wesley, Planning Director, explained that the Planning Division has inspectors, who inspect at the time of construction and once the property is operating, the City of Mesa's Code Compliance Office get involved; he noted that there are times when there are private agreements and enforcement of those are up to the individual property owners.

Boardmember Carter asked who checks the lighting levels for compliance and why there were no elevations plans. Mr. Dmohowski responded that the lighting standards apply to the City Code and the Planning Division does not review them; adding that lighting standard are not going to be adjusted, therefore, staff didn't request a photometric study. He stated that staff did not get elevations because there is not a specific dealership set to occupy the lots, but will be addressed when they go before DRB.

Mr. Wesley commented that the Board can consider, at this stage, the type of conditions that might be appropriate to place on approval; adding that the applicant does not have a specific user at this time.

Boardmember Coons asked what the purpose of the DRB is as far as elevations, height and neighborhood compatibility. Mr. Wesley responded that DRB looks more at the appearance of the site and not at how it will affect the neighbors just pure design issues.

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Mr. Ward explained that in most cases an ordinance does not specify a lighting standard but this one is different, adding that Ordinance #3889, Condition #14, Subsections A-H, set forth lighting standards for this property. He stated that having a user in the car dealer business is very difficult to get if the zoning is not in place. He noted that not only will this proposal be subject to DRB but to the Superstition Springs Master Association Architectural Review Committee.

Boardmember Roberts commented that the Board's job is to look for consistency with the General Plan and although it's not consistent with the Zoning Ordinance, conditions have changed; adding that what happened with the previous developer doesn't have to do with this developer and it's a shame that things that were guaranteed and not delivered, is wrong. He noted that the P&Z Board's role is different than the City Council, because they are volunteers. He moved to approve Z08-60 with the added condition regarding landscaping, seconded by Boardmember Salas.

Boardmember Mizner stated he would like the minutes to reflect that the Board encourages the applicant to continue negotiations with ADOT to enhance the north property line with landscaping. Discussion ensued regarding landscaping.

Boardmember Carter asked if there is a change to the buildings and the layout. who would review it. Mr. Wesley responded that there are provisions in the Code for amendments and guidelines established by City Council for what could be considered an administrative change or what has to come back to the Board for review.

Boardmember Carter stated he was not going to be supporting the motion stating that although the applicant has done a great job, he is worried that this is an incomplete submittal with no landscape plan, elevations or photometric analysis to review.

Boardmember Coons commented that the applicant should not be held responsible for adding the landscaping or be held responsible for building elevations until they can get the zoning. Discussion ensued regarding the conceptual landscaping, elevations and the concerns of the residents.

Chairperson Esparza stated that the C-2 preservation needs to be honored and is in full support of the agreement to limit the uses on these two lots; adding that it is imperative to protect the investment, the integrity and the establishment of the condominiums. She added that she was not going to concede to the City's sales tax revenue against the condos and for those reasons would not be in support of the motion.

It was moved by Boardmember Roberts, seconded by Boardmember Salas

That: The Board recommend to the City Council **approval** of zoning case Z08-60 conditioned upon:

1. Compliance with the basic development as described in the project narrative, and as shown on the site plan submitted, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of the Design Review Board.
3. Compliance with foundation base requirements in accordance to §11-15-3(C) of the Zoning Ordinance.
4. Compliance with all City development codes and regulations.
5. Compliance with all conditions of approval for Ordinance #3889 with the exclusion of condition #16 "Permitted Uses on Lots F and G shall be limited to C-2 uses only.
6. Street frontage landscaping to be installed in the first phase of construction.

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

7. Diamond or comparable shape landscape areas with trees in the parking fields.

Vote: Passed 4-2-1 with Boardmembers Carter and Esparza nay, Perkinson absent.

* * * * *

Note: *Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at www.cityofmesa.org*

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: **Z08-61 (District 6)** 4908 South Ellsworth Road. Located south of Warner Road on the west side of Ellsworth Road (30±acres). Rezone from AG to M-1 and Site Plan Review. This request will allow the construction of a plumbing supply company and other related industrial and commercial uses. Ross N. Farnsworth, owner; Reese L. Anderson, Pew and Lake, PLC, applicant.

Comments: Boardmember Coons declared a potential conflict of interest and recused herself from Board deliberations.

A second consent agenda was held for zoning case Z08-61.

It was moved by Boardmember Carter, seconded by Boardmember Salas that the second consent item be approved.

The Board approves and recommend to the City Council approval of zoning case Z08-61 conditioned upon:

1. Compliance with the basic development as described in the project narrative, and as shown on the site plan (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all City development codes and regulations.
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Compliance with the Subdivision Regulations regarding the land split.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City

Vote: Passed 5-0-2 with Boardmember Perkinson absent and Coons abstaining.

* * * * *

Note: *Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at www.cityofmesa.org*

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: **GPMInor08-09 (District 5)** The 3400 and 3500 blocks of North Recker Road (west side) and 5700 to 5900 blocks of Thomas Road (south side). Located south of Thomas Road and west of Recker Road. General Plan Minor Amendment to change the General Plan Land Use Map from Business Park (BP) to Neighborhood Commercial (NC) (22± ac). This will allow for the development of commercial and office uses. DTD-Devco 13, LLC; Elizabeth Gaston, owner; Pew & Lake, PLC; Sean B. Lake, applicant, Olsson Associates; Leonard J. Swartz, engineer.
CONTINUED FROM THE AUGUST 21, 2008 HEARING.

Comments: This case was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Salas, seconded by Boardmember Coons

That: The Board **continue** zoning case GPMInor08-09 to the November 20, 2008 hearing.

Vote: Passed 6-0-1 with Boardmember Perkinson absent.

* * * * *

Note: *Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at www.cityofmesa.org*

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: **Z08-54 (District 5)** The 3400 and 3500 blocks of North Recker Road (west side) and 5700 to 5900 blocks of Thomas Road (south side). Located south of Thomas Road on the west of Recker Road (26± acres). Rezone from R1-90 to C-1, C-2, and PEP, and Site Plan Review. This request will allow the development of commercial and office uses. DTD-Devco 13, LLC; Elizabeth Gaston, owner; Pew & Lake, PLC; Sean B. Lake, applicant, Olsson Associates; Leonard J. Swartz, engineer. **CONTINUED FROM THE AUGUST 21, 2008 HEARING.**

Comments: This case was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Salas, seconded by Boardmember Coons

That: The Board **continue** zoning case Z08-54 to the November 20, 2008 hearing.

Vote: Passed 6-0-1 with Boardmember Perkinson absent.

* * * * *

Note: *Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at www.cityofmesa.org*

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: **GPMInor08-10 (District 5)** 235 North Ellsworth Road. Located south of University Drive on the east side Ellsworth Road (8.6± acres). Minor General Plan Amendment. This request will amend the Mesa 2025 General Plan land use designation for the site from Medium Density Residential 4-6 du/acre (MDR 4-6) to High Density Residential 15+ du/acre (HDR 15+). Uebel Family Trust/Jack and Susan Kantor Living Trust, owner; Ralph Pew; Pew and Lake, PLC, applicant.

Comments: Ralph Pew, Pew and Lake, PLC, 1930 East Brown Road, Mesa, AZ, applicant, stated that although this property is currently located in the County, it is within Mesa's planning jurisdiction. He asked the Board to recommend approval of a High Density Residential (HDR) designation and stated they concur with staff's recommendation for approval. He stated they have met with the HOA and neighbors, who are happy to see the potential for an apartment project on this mobile home site. He stated they are seeking General Plan approval first, followed by the annexation and ultimately a site plan. Mr. Pew also stated that proper notices and procedures will take place in notifying residents/tenants of the park, when the project is ready to develop.

Josh Mike, Planner I, stated this request is to amend the General Plan land use designation to HDR to make it consistent with the comparable zoning that will take place after annexation into the City of Mesa; adding that staff recommends adoption of the Amendment.

Boardmember Roberts asked what the law is regarding comparable zoning when it is annexed into the City; adding that he really appreciated the applicant going through the General Plan Amendment prior to bring forth the formal submittal and hoped it would be done this way in the future.

Tom Ellsworth, Senior Planner, stated that State law requires that the annexing municipality will adopt zoning that is not more intense than what is existing in the County and that Mesa typically grants comparable zoning.

Boardmember Carter asked what the density of the property is. Mr. Mike responded he was not aware of how many units are on this site.

Mr. Pew also responded that he did not know, but noted it is not the same density as an apartment project would be.

It was moved by Boardmember Carter, seconded by Boardmember Roberts

That: The Board recommend to the City Council **adoption** of zoning case GPMInor08-10.

Vote: Passed 6-0-1 with Boardmember Perkinson absent.

* * * * *

Note: *Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at www.cityofmesa.org*

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: **GPMInor08-11 (District 6)** 8260 East Baseline Road. Located west of the Loop 202 and north of Baseline Road (14.5± acres). Minor General Plan Amendment. This request will amend the Mesa 2025 General Plan land use designation for the site from Mixed Use Residential (MUR) to High Density Residential 15+ du/acre (HDR 15+). Loren & Colette Jessen; Jessco Dev. LLC, owner; Sean Lake; Pew and Lake, PLC, applicant.

Comments: Sean Lake, Pew and Lake, PLC, 1930 East Brown Road, Mesa, AZ, applicant, noted that this is an unusual site, which was part of a settlement agreement. He stated they are requesting a minor General Plan Amendment to develop nine acres into High Density Residential (HDR), instead of five acres allowed by Code. He explained that the Board recently moved forward on the adjacent property with an R-4 designation, PEP and C-2 along the frontage of Baseline Road and that there is no visibility to this site because it sets in the back corner with no frontage and has limited opportunities.

Mr. Lake stated that they are willing to work with the adjacent property owner and noted that both site plans are conceptual. He reiterated that this is not a site plan application, but a minor General Plan Amendment with a rezoning to be consistent with the General Plan. He explained that the site has significant property hardships, limited visibility, no access from Baseline Road, limited marketability, hard to get to, and there are limited land uses that can be developed on this property. He further explained that this parcel needs a compatible land use that will lift and help the area to the west and feel the best use for this property is HDR, given the constraints on the site. He mentioned that they held a neighborhood meeting and the neighbors "whole heartedly" support this request, he urged the Board for their support.

Lesley Davis, Planner II, gave an overview of the request for the minor General Plan Amendment and the rezoning to R-4 stating that the site plan is conceptual and not part of the request. She explained that staff's recommendation for denial is based on the proposal not meeting the goals and objectives established by the General Plan, and the denial for the rezoning request is based on how conceptual the site plan is to the adjacent development, which do not work well together. Ms. Davis further explained that if the General Plan Amendment gets approved, she asked the Board to continue the rezoning case so that staff can work with the applicant and possibly the adjacent development to create a more cohesive development.

Boardmember Carter commented that when they heard the adjacent case, both applicants agreed to work together to come up with a cohesive plan and agrees that apartments are an appropriate use, and is in support of the General Plan Amendment. He noted he was unconformable with this request, which has a 20' high wall around all four sides creating a fortress and stated this is the perfect time to send a message to City Council to have the adjacent case brought back, so the Board can review a true mixed use project. Mr. Carter stated this case should be continued until they get both cases together.

Boardmember Mizner stated that he attended the City Council study session and there was considerable support to refer the adjacent zoning case (Z08-47) back to this Board for further consideration.

Boardmember Coons commented that she did a site visit and agrees that this is a better use for the property.

Boardmember Mizner clarified that he was not opposed to the General Plan Amendment, but would like to see the two cases considered and reviewed by this Board together.

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Boardmember Carter commented that this is time to show some real creativity; adding that this could be a wonderful mixed use project and in everybody's best interest to create a really nice project.

It was moved by Boardmember Mizner, seconded by Boardmember Coons

That: The Board **continue** zoning case GPMinor08-11 to the October 16, 2008 hearing to allow this case to be considered in conjunction with the adjacent zoning case.

Vote: Passed 6-0-1 with Boardmember Perkinson absent.

* * * * *

Note: *Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at www.cityofmesa.org*

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: **Z08-62 (District 6)** 8260 East Baseline Road. Located west of the Loop 202 and north of Baseline Road (14.5± acres). District 6. Rezone from AG (conceptual M-1, C-2, R-2, and R-3) to R-4. This request will allow the zoning for high-density residential development. Loren & Colette Jessen; Jessco Dev. LLC, owner; Sean Lake; Pew and Lake, PLC, applicant.

Comments: Sean Lake, Pew and Lake, PLC, 1930 East Brown Road, Mesa, AZ, applicant, noted that this is an unusual site, which was part of a settlement agreement. He stated they are requesting a minor General Plan Amendment to develop nine acres into High Density Residential (HDR), instead of five acres allowed by Code. He explained that the Board recently moved forward on the adjacent property with an R-4 designation, PEP and C-2 along the frontage of Baseline Road and that there is no visibility to this site because it sets in the back corner with no frontage and has limited opportunities.

Mr. Lake stated that they are willing to work with the adjacent property owner and noted that both site plans are conceptual. He reiterated that this is not a site plan application, but a minor General Plan Amendment with a rezoning to be consistent with the General Plan. He explained that the site has significant property hardships, limited visibility, no access from Baseline Road, limited marketability, hard to get to, and there are limited land uses that can be developed on this property. He further explained that this parcel needs a compatible land use that will lift and help the area to the west and feel the best use for this property is HDR, given the constraints on the site. He mentioned that they held a neighborhood meeting and the neighbors "whole heartedly" support this request, he urged the Board for their support.

Lesley Davis, Planner II, gave an overview of the request for the minor General Plan Amendment and the rezoning to R-4 stating that the site plan is conceptual and not part of the request. She explained that staff's recommendation for denial is based on the proposal not meeting the goals and objectives established by the General Plan, and the denial for the rezoning request is based on how conceptual the site plan is to the adjacent development, which do not work well together. Ms. Davis further explained that if the General Plan Amendment gets approved, she asked the Board to continue the rezoning case so that staff can work with the applicant and possibly the adjacent development to create a more cohesive development.

Boardmember Carter commented that when they heard the adjacent case, both applicants agreed to work together to come up with a cohesive plan and agrees that apartments are an appropriate use, and is in support of the General Plan Amendment. He noted he was unconformable with this request, which has a 20' high wall around all four sides creating a fortress and stated this is the perfect time to send a message to City Council to have the adjacent case brought back, so the Board can review a true mixed use project. Mr. Carter stated this case should be continued until they get both cases together.

Boardmember Mizner stated that he attended the City Council study session and there was considerable support to refer the adjacent zoning case (Z08-47) back to this Board for further consideration.

Boardmember Coons commented that she did a site visit and agrees that this is a better use for the property.

Boardmember Mizner clarified that he was not opposed to the General Plan Amendment, but would like to see the two cases considered and reviewed by this Board together.

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Boardmember Carter commented that this is time to show some real creativity; adding that this could be a wonderful mixed use project and in everybody's best interest to create a really nice project.

It was moved by Boardmember Mizner, seconded by Boardmember Carter

That: The Board **continue** zoning case Z08-62 to the October 16, 2008 hearing to allow this case to be considered in conjunction with the adjacent zoning case and to coordinate the circulation pattern, which was the Board's direction to Mr. Gilbert to provide two points of access to this property

Vote: Passed 6-0-1 with Boardmember Perkinson absent.

* * * * *

Note: *Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at www.cityofmesa.org*

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Item: Discuss and provide comment on a presentation of the Fiesta District Design Guidelines.

Comments: Before departing at 6:00 p.m. Boardmember Mizner stated he attended earlier presentations on the overall project regarding the Fiesta Mall area and is pleased that this project is moving forward.

Catherine Ji, Economic Development Specialist, provided an update on the progress of the Fiesta District Design Project stating that in 2004 the City commissioned the International Economic Development Council and the International Commission of Shopping Centers to develop a revitalization strategy for the Fiesta Mall's Regional Retail District. As a result of the study, they come up with four general recommendations: 1) redefine the Fiesta Mall area to include nearby commercial and residential areas; 2) set aesthetic criteria for development of those areas; 3) rezone portions of Southern Avenue to encourage other uses such as multi-residence housing and office; and 4) create linkages to those surrounding areas and nearby institutions. She stated that through those recommendations, the City hired a consultant, PMC, to develop the Fiesta District Design project, which is comprised of five (5) separate elements, 1) the branding plan, 2) private realm design guidelines, 3) public realm design guidelines, 4) circulation plan, and most importantly 5) the implementation plan, which focuses on how to put the components together including a funding source. She noted that they have finished the branding plan and before the Board is the draft Private and Public Realm Design Guidelines.

Boardmember Carter stated that this is a great document, has pictures that lead the designer in the right direction and creates wonderful pedestrian spaces; he added that "kudos" be sent to staff for their participation.

Chairperson Esparza agreed with Boardmember Carter, adding that it provides specifics into the Fiesta District.

Ms. Ji noted that this project originated with the Office of Economic Development with input from the Transportation Department, the Planning Division and input received from citizens and staff.

Boardmember Roberts concurred that it is a very nice document.

Boardmember Coons asked what the timeline was on this project. Ms. Ji responded that they would be taking both documents and the branding plan to the General and Economic Development Committee of the City Council next week where the documents will be finalized and brought back to both the Planning & Zoning Board and the Design Review Board for recommendation.

Veronica Gonzalez, Senior Planner, stated what they are hoping to accomplish with the presentation to the General and Economic Development Committee, as well as City Council, is to get more direction on the implementation portion, which is the component that hasn't been completed; adding that the Board will get an opportunity to see the document again.

* * * * *

Note: Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at www.cityofmesa.org

MINUTES OF THE SEPTEMBER 18, 2008 PLANNING AND ZONING MEETING

Respectfully submitted,

John Wesley, Secretary
Planning Director

MS:
I:\P&Z\P&Z 08\Minutes\sept18-08.doc